AMENDMENT:

This listing of claims will replace all prior versions, and listings, of claims in the application. Where claims have been amended and/or canceled, such amendments and/or cancellations are done without prejudice and/or waiver and/or disclaimer to the claimed and/or disclosed subject matter, and the assignee reserves the right to claim this subject matter and/or other disclosed subject matter in a continuing application.

Claim Listing:

1. (Currently Amended) A method for delivering an asset over a network comprising:

supplying an asset list by a content provider over [[the]] said network to a user device, said user device including a client process; and

delivering [[the]] said asset[[,]] corresponding to the asset list[[,]] over [[the]] said network to [[the]] said user device [[when]] if a predetermined constraint is satisfied.

2. (Currently Amended) The method according to claim 1, wherein [[the]] said asset [[is]] comprises at least one of an audio content, a video content, a text content, a right to use license or a multimedia file.

3. (Currently Amended) The method according to claim 1, wherein [[the]] said asset list is generated [[by]] at least in part in response to a request from [[the]] said user device.

4. (Currently Amended) The method according to claim 1, and further including comprising accessing a content web site of a content provider.

5. (Currently Amended) The method according to claim 1, wherein [[the]] said predetermined constraint [[is]] comprises at least one of [[the]] said user device being idle, [[the]] a network Quality of Service (QOS) of said network, or the bandwidth usage being below a predetermined operating level.

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6. (Currently Amended) The method according to claim 1, wherein [[the]] said predetermined constraint [[is]] comprises at least one of [[the]] said user device CPU usage, or memory usage in [[the]] said user device being below predetermined operating levels.

7. (Currently Amended) The method according to claim 1, wherein [[the]] said client initiates the delivery of the asset, from [[the]] said content provider, over [[the]] said network to [[the]] said user device.

8. (Currently Amended) The method according to claim 1, wherein [[the]] said asset is stored on a local cache.

9. (Currently Amended) The method according to claim 8, and further comprising presenting the stored asset in conjunction with real time content, said real time content provided by [[the]] said content provider.

10. (Currently Amended) The method according to claim 1, wherein said predetermined constraint comprises a time of day~~the time of day is included in the predetermined constraint~~.

11. (Currently Amended) The method according to claim 8, and further comprising determining at least one parameter from ~~the user device~~ CPU usage of said user device, [[the]] a bandwidth usage, [[the]] a local cache usage, [[and]] or a user device activity timer.

12. (Currently Amended) The method according to claim 8, and further comprising presenting a substitute asset in conjunction with real time content from [[the]] said content provider, ~~in the event that the~~ if said asset is unavailable at said user device ~~the user~~.

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13. (Currently Amended) A method for presenting to [[an]] a user ~~a continuous and uninterrupted stream of~~ content over [[the]] a network, the method comprising:

supplying an asset list ~~by a content provider~~ over [[the]] said network to a client process, said client process operating in a user device ~~of the user~~;

delivering an asset, from a remote location, over [[the]] said network to [[the]] said user device [[when]] if a predetermined constraint is satisfied, wherein ~~information of the~~ said asset list comprises at least an indication of said remote location ~~is obtained from the asset list~~;

and integrating the delivered asset with a content stream being received by [[the]] said user device from [[the]] said remote location over [[the]] said network, ~~and thereby providing the user with a continuous and uninterrupted stream of content~~.

14. (Currently Amended) The method according to claim 13, wherein [[the]] said asset [[is]] comprises at least one of an audio content, a binary data content, a video content, a right to use license, a text content, or a multimedia file.

15. (Currently Amended) The method according to claim 13, wherein [[the]] said asset list is provided by [[the]] a content provider to [[the]] said client process.

16. (Currently Amended) The method according to claim 13, and further comprising ~~including~~ accessing a content web site of a content provider.

17. (Currently Amended) The method according to claim 13, wherein [[the]] said predetermined constraint ~~includes~~ comprises at least one of [[the]] said user device being idle, [[the]] a network Quality of Service (QOS), or [[the]] a bandwidth usage being below ~~a predetermined~~ an operating level.

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18. (Currently Amended) The method according to claim 13, wherein [[the]] said predetermined

constraint includes comprises at least one of [[the]] a CPU usage for [[the]] said user device, or the

user device a memory usage of said user device being below predetermined an operating levellevels.

19. (Currently Amended) The method according to claim 13, wherein [[the]] said client process initiates

the delivery of [[the]] said asset, from [[the]] a content provider, over [[the]] said network to [[the]] said

user device.

20. (Currently Amended) The method according to claim 13, wherein [[the]] said asset is stored on a

local cache.

21. (Currently Amended) The method according to claim 20, and further comprising presenting the

stored asset in conjunction with real time content, said real time content provided by [[the]] a content

provider.

22. (Currently Amended) The method according to claim 13, wherein said predetermined constraint

comprises a [[the]] time of day is included in the predetermined constraint.

23. (Currently Amended) The method according to claim 20, and further comprising determining at

least one parameter from the user device a CPU usage of said user device, [[the]] a bandwidth usage,

the local cache a usage of said local cache, [[and]] or a user device activity timer.

24. (Currently Amended) The method according to claim 20, and further comprising presenting a

substitute asset in conjunction with real time content from [[the]] a content provider, in the event that

the if said asset is unavailable at [[the]] said user device.

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25. (Currently Amended) The method according to claim 13, wherein [[the]] said asset list is delivered

to [[the]] said client process by a content provider.

26. (Currently Amended) A system for presenting ~~to an user a continuous and uninterrupted stream of~~

content over a network ~~the Internet~~, the system comprising:

an asset list capable of being made available by a content provider over the internet to a client

process, said client process capable of operating in a user device ~~of the user~~;

an asset, made available from a remote location, over [[the]] said network to [[the]] said user

device [[when]] if a predetermined constraint is satisfied, wherein ~~information of the~~ said asset list

comprises at least an indication of said remote location ~~is obtained from the asset list~~.

27. (Currently Amended) The system according to claim 26, and further comprising ~~including~~ an

integrator tool for integrating [[the]] a delivered asset with a content stream being received by [[the]]

said user device from [[the]] said remote location over said network ~~the internet, and thereby providing~~

~~the user with an uninterrupted stream of content~~.

28. (Currently Amended) The system according to claim 26, wherein [[the]] said asset [[is]] comprises

at least one of an audio content, a video content, a binary data content, a text content, or a multimedia

file.

29. (Currently Amended) The system according to claim 26, wherein [[the]] said asset list is to be

provided to [[the]] said client process by [[the]] said content provider.

30. (Currently Amended) The system according to claim 26, wherein said client process is capable of

accessing ~~further including accessing~~ a content web site of said [[a]] content provider.

31. (Currently Amended) The system according to claim 26, wherein said asset is to be made available

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if [[the]] said predetermined constraint includes comprises at least one of [[the]] said user device being

idle, or [[the]] a bandwidth usage being below a predetermined an operating level.

32. (Currently Amended) The system according to claim 26, wherein said asset is to be made available

if [[the]] said predetermined constraint includes comprises the user device a CPU usage of said user

device, or the user device a memory usage of said user device being below predetermined an

operating levellevels.

33. (Currently Amended) The system according to claim 26, wherein [[the]] said client process is

capable of initiating initiates the delivery of [[the]] said asset, from [[the]] said content provider, over

[[the]] said network to [[the]] said user device.

34. (Currently Amended) The system according to claim 26, wherein [[the]] said asset is to be stored

on a local cache.

35. (Currently Amended) The system according to claim 34, and further comprising means for

presenting the stored asset in conjunction with real time content, said real time content provided by

[[the]] said content provider.

36. (Currently Amended) The system according to claim 26, wherein said asset is to be made available

if said predetermined constraint comprises [[the]] time of day is included in the predetermined

constraints.

37. (Currently Amended) The system according to claim 34, and further comprising means for

determining at least one parameter from the user device a CPU usage of said user device, [[the]] a

bandwidth usage, [[the]] a local cache usage, [[and]] or a user device activity timer.

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38. (Currently Amended) The system according to claim 34, and further comprising means for presenting a substitute asset in conjunction with real time content from [[the]] said content provider, ~~in the event that the~~ if said asset is unavailable at [[the]] said user device.

39. (Currently Amended) The system according to claim 26, wherein [[the]] said asset list is capable of being updated periodically by [[the]] said content provider.

40. (Currently Amended) The system according to claim 26, wherein [[the]] said client process is capable of being associated with a plurality of asset lists.

41. (Currently Amended) The system according to claim 26, wherein [[the]] said asset list comprises ~~includes~~ at least one of an expiration date, a callback URL, a client side token, a throttle parameter, a refresh rate parameter, a delete asset flag, a help link, [[and]] or resource path information.

42. (Currently Amended) The system according to claim 26, wherein [[the]] said asset is capable of being delivered to at least one of a cable provider or an internet service provider before delivery of [[the]] said asset to [[the]] said user device, said cable and internet service provider being in geographical proximity to [[the]] said user device.

43. (Currently Amended) A method for presenting ~~to an user~~ a stream of content over [[the]] a network, the method comprising:

supplying an asset list by a content provider over [[the]] said network to a client process, said client process operating on a user device ~~of the user~~;

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delivering an asset, from a remote location, over [[the]] said network to [[the]] said user device [[when]] if a predetermined constraint is satisfied, wherein said asset list comprises at least an indication of said remote locationinformation of the remote location is obtained from the asset list; and

integrating the delivered asset with a content stream being received by [[the]] said user device from [[the]] said remote location over [[the]] said network; wherein [[the]] said asset and [[the]] said content stream are essentially seamlessly presented to the user.

44. (Currently Amended) A system for presenting to an user a continuous and uninterrupted stream of content over a networkthe Internet, the system comprising:

an asset list to be made available by a content provider over said network the internet to a client process, said client process capable of operating in a user device device of the user;

an asset, to be made available from a remote location, over [[the]] said network to [[the]] said user device [[when]] if a predetermined constraint is satisfied, wherein said asset list comprises at least an indication of said remote locationinformation of the remote location is obtained from the asset list; and

an integrator tool for integrating [[the]] said asset with a content stream being capable of received by [[the]] said user device from [[the]] said remote location over said network the Internet, thereby providing the user with an uninterrupted stream of content[[;]], wherein [[the]] said predetermined constraint comprises includes at least one of at least one of [[the]] said user device being idle, the Internet a bandwidth usage of said network being below a predetermined operating level, [[the]] a time of day, the user device a CPU usage [[,]] or memory usage of said user device being below predetermined operating levels.

45. (Currently Amended) A method for receiving an asset over a network comprising:

delivering receiving an asset list provided by a content provider over [[the]] said network [[to]]at a client, said client operating in a user device; and

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receiving [[the]] said asset, corresponding to [[the]] at least a portion of said asset list, over

[[the]] said network at [[the]] user device [[when]] if a predetermined constraint is satisfied; wherein

[[the]] said predetermined constraint [[is]] comprises at least one of [[the]] said user device being idle,

[[the]] a network Quality of Service (QOS), [[the]] a network bandwidth usage being below a

predetermined an operating level, the user device a CPU usage[[,]] or memory usage of said user

device in the user device being below predetermined operating levels.

46. (Currently Amended) A method for providing a home media library to a user over a network, the

method comprising:

supplying an asset list by a content provider over [[the]] said network to a set-top box, [[the]]

said set-top box includingcomprising a client process which manages the capable of managing delivery

of assets; and

delivering an asset, from a remote location, over [[the]] said network to [[the]] said set-top box

[[when]] if a predetermined constraint is satisfied, as indicated by [[the]] said client process wherein

said asset list comprises at least an indication of said remote location information of the remote

location is obtained from the asset list.

47. (Currently Amended) A method of transmitting movies to receiving media assets at a set-top box in

a viewer's home for storage and subsequent viewing, the method comprising the steps of:

receiving a media asset list from a content provider on [[a]] said set top box, [[the]] said media

asset list comprising a list of media assets to be downloaded and information about the location of

each of the media assets;

running a client process on [[a]] said set top box that reads the, wherein said client process is

capable of reading said media asset list to determine what media assets to transfer should be

transferred to the set top box, and wherein said client process is further capable of managing and

manages the delivery of digital media assets based at least in part on predetermined constraints;

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downloading digital media assets from ~~a remote~~ said content provider to [[the]] said set top box ~~when the~~ if said predetermined constraints are satisfied; and

storing the downloaded digital media assets on [[the]] said set top box for subsequent viewing ~~by the user~~ on a television or other display device.

48 – 106 (Cancelled).